MEMORANDUM TO:

Members of the Board of Adjustment
City of Jacksonville Beach, Florida

Board Members:

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the Board of Adjustment.

CALL TO ORDER

ROLL CALL

Jeff Truhalr (Chairperson), Francis Reddington (Vice-Chairperson), Scott Cummings, John Moreland, Sylvia Osewalt
Alternates: Gary Cater

EX-PARTE COMMUNICATION

APPROVAL OF MINUTES   April 16, 2019

CORRESPONDENCE   None
## OLD BUSINESS

### a. Case Number: BOA 19-100036

<table>
<thead>
<tr>
<th>Owner:</th>
<th>The Palms of Jacksonville, LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>Atkins Builders, Inc.</td>
</tr>
<tr>
<td>Agent:</td>
<td>John Atkins</td>
</tr>
<tr>
<td>Property Address:</td>
<td>2062 &amp; 2088 North 1st Street</td>
</tr>
<tr>
<td>Parcel ID:</td>
<td>175405-0000</td>
</tr>
<tr>
<td>Current Zoning:</td>
<td>RM-2</td>
</tr>
</tbody>
</table>

**Motion to Approve:**

*City of Jacksonville Beach Land Development Code Section(s)*

34-340(e)(1)f., for 45% lot coverage, in lieu of 41.5% previously approved lot coverage to correct an error in calculations, and allow a larger footprint on a new two-family dwelling; for property legally described as part of Lots 1 and 2, Block 202, together with the East half of a 12 foot alley, closed by City of Jacksonville Beach, Ordinance No. 5386, *Ocean Villa Replat*.

**Miscellaneous Info:**

One previous variance request, BOA# 18-100057, and one conditional use request, PC# 58-17.

### b. Case Number: BOA 19-100038

<table>
<thead>
<tr>
<th>Owner:</th>
<th>The Palms of Jacksonville, LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>Atkins Builders, Inc.</td>
</tr>
<tr>
<td>Agent:</td>
<td>John Atkins</td>
</tr>
<tr>
<td>Property Address:</td>
<td>2016 &amp; 2034 North 1st Street</td>
</tr>
<tr>
<td>Parcel ID:</td>
<td>17545-0000</td>
</tr>
<tr>
<td>Current Zoning:</td>
<td>RM-2</td>
</tr>
</tbody>
</table>

**Motion to Approve:**

*City of Jacksonville Beach Land Development Code Section(s)*

34-340(e)(1)f., for 48.7% lot coverage, in lieu of 42.9% previously approved lot coverage to correct an error in calculations, and allow a larger footprint on a new two-family dwelling; for property legally described as part of Lots 1 and 2, Block 202, together with the East half of a 12 foot alley, closed by City of Jacksonville Beach, Ordinance No. 5386, *Ocean Villa Replat*.

**Miscellaneous Info:**

Two previous variance requests, BOA# 18-100057, BOA# 18-100129 and one conditional use request, PC# 58-17.
NEW BUSINESS  Board of Adjustment Rules of Procedure, by Denise May, City Attorney

a. **Case Number:** BOA 19-100046  
Owner: R&S Property Solutions, LLC  
Applicant: Gene Pruett  
Property Address: 1012 South 1st Avenue  
Parcel ID: 177312-0000  
Current Zoning: RM-1  
Motion to Approve: City of Jacksonville Beach Land Development Code Section(s) 34-390(e)(1)c.3., for a rear yard setback of 12.9 feet, in lieu of 30 feet required; and for 34-390(e)(1)f., for 37.6% lot coverage, in lieu of 35% maximum; and section 34-373(d) for a parking area setback of 0 feet, in lieu of 5 feet required, to allow construction of a new two-family dwelling, for property legally described as part of Lot 1, Block 6, of West Pablo, PT Govt Lots 6, 7, Recorded O/R 18467-1271.  
Miscellaneous Info: No previous variance requests.  
Notes:  

b. **Case Number:** BOA 19-100052  
Owner: Tom Braddock  
Applicant: Bottom Line Ventures, Inc.  
Property Address: 1132 North 5th Avenue  
Parcel ID: 177749-0000  
Current Zoning: RS-1  
Motion to Approve: City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.2., for an easterly side yard setback of 6.7 feet, in lieu of 10 feet required; and 34-336(e)(1)c., for 47.28% lot coverage, in lieu of 35% maximum; to ratify existing non-conformities on an existing single-family dwelling, for property legally described as Lots 4 and 5, Block 3, Pine Grove Unit 2.  
Miscellaneous Info: No previous variance requests.  
Notes:
Board of Adjustment Agenda

Tuesday, May 21, 2019

c. Case Number: BOA 19-100051
Owner: Tom Braddock
Applicant: Bottom Line Ventures, Inc.
Property Address: 1132 North 5th Avenue
Parcel ID: 177749-0000
Current Zoning: RS-1
Motion to Approve: City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e., for 45.1% lot coverage, in lieu of 35% maximum; to allow construction of a new single-family dwelling, on Lot 3, for property legally described as Lot 3, Block 3, Pine Grove Unit 2.

Miscellaneous Info: No previous variance requests.

Notes:

PLANNING DEPARTMENT REPORT The next scheduled meeting is Tuesday, June 4, 2019.

There are three (2) scheduled cases.

ADJOURNMENT

NOTICE

In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk’s Office at (904) 247-6299, extension 10, no later than one business day before the meeting.
CALL TO ORDER

Chairperson Jeff Truhrar called the meeting to order.

ROLL CALL

Chairperson: Jeff Truhrar
Vice-Chairperson: Francis Reddington
Board Members: Scott Cummings Sylvia Osewaht John Moreland
Alternates: Gary Cater

Building Official George Knight was also present.

EX-PARTE COMMUNICATION:

Mr. Moreland stated he spoke to Dan Elmaleh, 1879 South 1st Street, Jacksonville Beach, regarding BOA #19-00032.

APPROVAL OF MINUTES: None

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

(A) Case Number: BOA 18-100224
Owner/Applicant: South Jax Beach, LLC
Agent: Rick Johnston
Property Address: 3510 South Ocean Drive

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.1, for a front yard setback of 19 feet, in lieu of of 25 feet required; and 34-336(e)(1)c.2, for a northerly side yard setback for 8 feet and southerly side yard setback of 9 feet, each, in lieu of of 10 feet required; and 34-336(e)(1)c.3, for a rear yard setback of 15 feet, in lieu of 30 feet require; 34-336(e)(1)c., for 43.5% lot coverage, in lieu of of 35% maximum; 34-336(e)(1)g., for an accessory structure setback of 3.8 feet, in lieu of of 5 feet required; and 34-373(f) for a turf block driveway, in lieu of of required paving; all to allow the construction of a new single-family dwelling, for property legally described as Lots 10 and 11, Block 5, Atlantic Shores Ocean Front Section Division “A”.

Owner: Rick Johnston, 3528 Ocean Drive, Jacksonville Beach, stated his hardship is the substandard lot. Mr. Johnston asked why the lot coverage amount on the agenda is listed as 43.5%
lot coverage amount instead of the 47% he requested on his application. Mr. Knight responded the calculations submitted for 47% included the surface of the pool and Jacksonville Beach does not count the surface so it was deducted. Mr. Johnston distributed copies of the design of the house; a signed petition; Board of Adjustment variance approval letters for properties located at 3510 and 3528 South Ocean Drive; in addition to survey maps of adjacent northerly and southerly properties [on file], in order to distinguish the discussed lot, note consistency with the adjacent lots, and explain his setback requests. The current property address (3510 South Ocean Drive) was a double lot; there were two previous variance requests for this property address, one of which was approved, while the other was denied. While there are two lots currently at 3510 South Ocean Drive, one will later be recorded as 3518 South Ocean Drive as granted by the City of Jacksonville. The lot in this application will soon have the address 3518 South Ocean Drive, Jacksonville Beach. It is a 53-foot-wide lot in RS-1 zoning.

Mr. Johnston referred to the home design attachment and explained how it was drawn to compliment the neighborhood and the adjacent homes within it. He has spoken to the residents living in adjacent properties and asked them to sign the petition in the attachment showing their approval of the variance. Ms. Osewalt commented the lot is definitely undersized. Mr. Truhlar asked about the adjacent lots’ size to help compare, and the agent stated they are larger.

Public Hearing:

Mr. Reddington read into the record the addresses of the neighbors in the signed petition who are supportive of this variance request:

- 3601 Ocean Drive South
- 3625 Ocean Drive South
- 3626 Ocean Drive South
- 3604 Ocean Drive South
- 52 36th Avenue South
- 39 36th Avenue South
- 3528 Ocean Drive South

The following resident spoke in opposition of the variance request:

- Frederick Irving, 3515 South Ocean Drive, Jacksonville Beach, spoke about his concerns regarding the impact of the setback requests and landscaping. Mr. Irving has also submitted his opposition in writing [on file].

Mr. Johnston commented the driveway was designed to be J-shaped with a side entry to the garage, which would allow parking for a total of six cars without impacting the neighborhood. Ms. Osewalt asked about approval from neighbors residing in the adjacent backside property to the home. Mr. Johnston responded it is a fenced property belonging to Mr. Divine, who has signed the petition in support.

Mr. Truhlar closed the public hearing.

Discussion:

Mr. Reddington commented he does not agree with the 19-foot setback and believes the house is large. Mr. Moreland stated the 19-foot setback pertains only to the northeast corner, and the side
yard setbacks are substandard in regard to the midline of the building point. He recognized the applicant’s efforts to abide by the Board’s comments from the last variance application.

**Motion:**
It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA# 18-100224, as presented and discussed.

**Roll Call Vote:**
Ayes– Scott Cummings, John Moreland, and Jeff Truhlar
Nays– Sylvia Osewalt and Francis Reddington

The motion was approved by a vote of 3-2.

(B) **Case Number: BOA 19-100031**

Owner/Applicant: Benjamin and Brooke Holway

Property Address: 240 south 40th Avenue

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e., for 49.4% lot coverage, in lieu of 35% maximum; and 34-336(e)(1)g., for an accessory structure setback of 2 feet, in lieu of 5 feet required (from rear property line), to allow a pool and paver patio addition to an existing single-family dwelling, for property legally described as West ½ of Lot 4, and all of Lot 5, Block 1, Avalon Unit No. 2.

Owner: Benjamin Holway identified having a substandard lot as his hardship. His lot is 7,650 square feet, while the minimum for RS-1 zone is 10,000 square feet. He referred to BOA #11-100066 and BOA #17-100124 as applications that facilitated the approval of approximately 50% lot coverage for 20 lots in the same neighborhood. Mr. Truhlar commented each case has to be reviewed independently. Mr. Holway asked the board to not consider the oversized pavers around the pool shown on the survey as that was an error, and stated he noted on the survey the paver area which is not included. The current lot coverage is 39.8%, and he already received approval for approximately 42% lot coverage in a previous variance.

Mr. Truhlar commented a 2-foot proximity to the property line is unusual, and the owner replied he is intending to build a pool fence with this setback request. The pool extends 7.5 feet from the side of the house. If the Board was to amend the coverage to achieve the 10,000 square foot minimum lot size, then it would have to grant 37.9% lot coverage, according to Mr. Moreland. There is an already-existing 253 square foot decking located under the roof of the home and a proposed 289 square foot decking located adjacent to it. Discussion ensued among Board members regarding lot coverage. Mr. Cummings commented it is difficult to grant the 2-foot variance due to the future complications it may cause with adjacent neighbors.

**Public Hearing:**
No one came before the Board to speak about this case.
Mr. Truhlar closed the public hearing.

**Discussion:**
Board agreed it is not in favor of the 2-foot setback request.
Board of Adjustment Meeting  
Tuesday, April 16, 2019

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve BOA# 19-100031, with the modifications for 48% lot coverage, in lieu of 35%, and for 4 feet for an accessory structure setback, in lieu of 5, to allow a pool and paver patio addition to an existing single-family dwelling as presented and discussed.

Roll Call Vote: Ayes – John Moreland, Sylvia Osewalt  
Nays – Francis Reddington, Scott Cummings, and Jeff Truhlar

The motion was denied by a vote of 3-2.

(C) Case Number: BOA 19-100032  
Owner/Applicant: City of Jacksonville Beach  
Agent: Jason Phitides  
Property Address: 216 and 218 South 16th Avenue

City of Jacksonville Beach Land Development Code Section(s) 34-340(3)g., for an accessory structure setback of 1 foot, in lieu of 5 feet required; to allow the construction of a tennis court, for property legally described as “Huguenot Park” part of Permenter’s Replat and Atlantic Camp Grounds.

Agent: Jason Phitides, City of Jacksonville Beach Parks and Recreation, 2508 South Beach Parkway, stated Huguenot Tennis Center currently has seven tennis courts and a typical tennis complex has a minimum of eight. A variance is required to construct a new tennis court due to high demand. Over the past two years, the average number of players has increased from an average of 1,300 players per month 1,500 players. The City Council already approved construction of the project.

Public Hearing:  
The following was in favor of the variance request:  
• Harry Royal, 225 33rd Avenue South, Jacksonville Beach

The following was opposed to the proposed variance request:  
• Dan Elmaleh, 1879 South 1st Street, Jacksonville Beach, expressed safety and noise concerns

Mr. Truhlar closed the public hearing.

Discussion:  
Discussion ensued regarding the usage of the courts. Mr. Moreland stated he cannot find a hardship created by the land. Board agreed.

Motion: It was moved by Mr. Moreland, seconded by Mr. Cummings, to deny BOA# 19-100032, as presented and discussed, because of the fact there is already reasonable use of the land without the variance, it would result in special conditions if approved.
Roll Call Vote: Ayes –Sylvia Osewalt, Francis Reddington, Scott Cummings, John Moreland, and Jeff Truhlar

The motion to deny was approved unanimously.

(D) Case Number: BOA 19-100033
Owner/Applicant: Peter Hill
Property Address: 1816 North 2nd Street

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)f., for 46.6% lot coverage, in lieu of 35% maximum; and section 34-373(d) for 2.5 foot parking area setback, in lieu of 5 feet required; to allow subdividing a new two-family dwelling, for property legally located at 1816 North 2nd Street and legally described as Lot 12, Block 183 of Elton Realty Company's Replat. Agent: Peter Hill, 1816 North 2nd Street, Jacksonville Beach, explained he currently has a duplex on one lot. He wants to separate the lot into two in order to sell half of the duplex and live in the other. When the property is divided into two lots, the structure itself will be on the property line. Mr. Knight commented main structures are allowed to be on the property line, accessory structures are not. The lot is currently 5,748 square feet with 52 feet across front, and the minimum required according to Code is 6,000 square feet with 60 feet across the front. He was granted 40% lot coverage in a previous variance request. The 6% difference is for replacing the gravel strips in an approved driveway with concrete.

Public Hearing:
No one came before the Board to speak about this case.
Mr. Truhlar closed the public hearing.

Discussion:
The Board agreed this is common and has no problem approving the variance request.

Motion: It was moved by Mr. Reddington, seconded by Mr. Moreland, to approve BOA# 19-100033, as written and as read.

Roll Call Vote: Ayes –Francis Reddington, Scott Cummings, John Moreland, and Jeff Truhlar
Nays –Sylvia Osewalt

The motion was approved by a vote of 4-1.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, May 7, 2019. There are four (4) scheduled case.

ADJOURNMENT

There being no further business coming before the Board, Mr. Truhlar adjourned the meeting at 8:15 P.M.
Board of Adjustment Meeting
Tuesday, April 16, 2019

Submitted by: Sama Kaseer
Administrative Assistant

Approval:

__________________________
Chairperson

__________________________
Date
APPLICATION FOR VARIANCE

BOA No. 19-100036
HEARING DATE 5-7-2019

This form is intended for submittal, along with the required documents, for all requests for variances from the requirements of the City of Jacksonville Beach Land Development Code, Article 6, Section 6.6 Variances. The Planning and Development Director will evaluate an application for a variance for sufficiency within five (5) days of receipt. If the application is found to be complete, the Jacksonville Beach Board of Adjustment at their earliest meeting following appropriate public notice of the request will schedule it for review, public hearing and a decision.

REQUIRED DOCUMENTATION
1. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years. All proposed additions and/or improvements, including actual dimensions, lot coverage calculations shall be added to the boundary survey, to scale on 11"x17" paper or smaller.
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of $500.00 (due at the time of application submittal).
5. Completed application.

APPLICANT INFORMATION
Applicant Name: Atkins Builders, Inc.  Telephone: (904) 656-3749
Mailing Address: PO Box 51262  E-Mail: atkinsbuilders@hotmail.com
Jacksonville Beach, Fl. 32240
Agent Name: John Atkins  Telephone: (904) 465-3749
Mailing Address: PO Box 51262  E-Mail: atkinsbuilders@hotmail.com
Jacksonville Beach, Fl. 32240
Landowner Name: The Palms of Jacksonville, LLC  Telephone: (904) 465-3749
Mailing Address: 1238 Windsor Harbor Dr.  E-Mail: atkinsbuilders@hotmail.com
Jacksonville Fl. 32240

Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper.

VARIANCE DATA
Street address of property AND Real Estate Number: 2062 & 2088 N. 1st St.
Legal description of property (Attach copy of deed): Lots 1 & 2 Block 202, Together with the West half of closed alley. Plat book 12
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
A mistake was made in calculating lot coverage in previous variance request. Applicant is requesting 44.9% lot coverage in lieu of 41.5% granted by previous variance.

AFFIDAVIT
1. John Atkins, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

APPLICANT SIGNATURE
John Atkins
DATE 3-20-2019

STATE OF FLORIDA, COUNTY OF DUVAL:
Sworn to and subscribed before me this 3rd day of March, 2019, by John Atkins, as identification.

NOTARY PUBLIC SIGNATURE

CATHERINE MARTINICH
Notary Public - State of Florida
Commission # GG 168390
My Commission Expires Mar 24, 2022
Notary Public - State of Florida
Commission # GG 168390
My Commission Expires Mar 24, 2022

This box for office use only, go to next page

CURRENT ZONING CLASSIFICATION: R1M-A
FLOOD ZONE: X

CODE SECTION (S): Section 344-340 (6)(f) for 45% lot coverage 44.5%
previously approved lot coverage to correct an error in calculation and
allow a larger footprint on a new two family dwelling.
Variances can be requested for the dimensional standards of Article VII, the off-street parking or landscape standards of Article VIII, and the subdivision standards of the LDC, except that a height variance is not permitted in any zoning district.

Section 34-281. Purpose. Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

Section 34-286. Standards applicable to all variances. In order to authorize any variance from the terms of this code, the Board of Adjustment must find that the following criteria have been met. To assist the Board in making this finding, please complete the blanks on the form below.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Applies? Yes/No</th>
<th>Circumstances/ Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.</td>
<td>Yes</td>
<td>RECEIVED</td>
</tr>
<tr>
<td>Special circumstances and conditions do not result from the actions of the applicant.</td>
<td>Yes</td>
<td>PLANNING &amp; DEVELOPMENT</td>
</tr>
<tr>
<td>Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.</td>
<td>Yes</td>
<td>Many, if not all properties in the area do not comply with setbacks or lot coverage.</td>
</tr>
<tr>
<td>Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.</td>
<td>Yes</td>
<td>Variances have been granted to several of the other parcels in the same zoning district.</td>
</tr>
<tr>
<td>Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.</td>
<td>Yes</td>
<td>Applicant has reduced the number of permitted units on this parcel from a possible of 11 to 4.</td>
</tr>
<tr>
<td>Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.</td>
<td>Yes</td>
<td>Granting of the variance will actually enhance the surrounding properties and be an asset to the community.</td>
</tr>
</tbody>
</table>
June 7, 2018

The Palms of Jacksonville, Inc.
PO Box 51262
Jacksonville Beach, FL 32240

RE: BOA# 18-100129
2016 North 1st Street
(Lots 1, 2, Block 202, together with the west half of a closed alley, Ordinance No. 5386 (as currently monumented & possessed) Ocean Villa Replat)

Dear The Palms of Jacksonville, Inc.,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, August 7, 2018, to consider your application for a variance from the requirements of the Land Development Code.

As indicated in the application, the request was for the following:

- Section 34-340(e)(1)c.2, for a 5 foot southerly side yard setback for the north units and a 2 foot northerly side yard setbacks for the south units, in lieu of 10 feet required;
- Section 34-340(e)(1)f., for 42.9% lot coverage, for the south units, and 41.5% lot coverage for the north units, in lieu of 35% maximum;
- Section 34-340(e)(1)h., for an accessory structure setback of 1 foot, in lieu of 5 feet required; for patios and walkways;
- Section 34-373, for a parking area setback of 4 feet, in lieu of 5 feet required;

The Board approved the request as discussed.

To allow construction of two new two-family dwellings.

Please remove the public hearing notice posted on your property. Information about building permits, applications and checklists is available in our office or online at http://www.jacksonvillebeach.org/business/building-permit-applications-and-checklists. Please submit a copy of this approval letter when submitting any future development or building permit applications. If you have any questions regarding any information contained in this letter, please feel free to call me at (904) 247-6235.

Sincerely,

George Knight
Building Official
Maureen and William Modrack
1809 1st St. N.
Jacksonville Beach, Fl. 32250

To The Board of Adjustments,

We are against any more variances for the properties located at 20th N. and 1st St. Jacksonville Beach. We ask for an investigation to be held as to how often and how many variances Mr. Atkins has received from the city and how many of those times he built the property and broken city codes and has had to come back to the city for more variances. Mr Atkins built eight homes between 17th N and 20th N and 1st St. All homes received generous variances prior to construction, even though the people in this area did not want the variances to be given. Mr. Atkins after construction came back to the city to ask for more variances because he had broken our codes, he is now doing this once again on four more finished properties. Please do not give any more variances to this builder.

Thank you,
Maureen and William Modrack
MAP SHOWING BOUNDARY SURVEY OF:

PART OF LOT 1, BLOCK 202, OCEAN VILLA REPLAT, AS RECORDED IN PLAT BOOK 12, PAGE 37 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, TOGETHER WITH THE EAST HALF OF A 12 FOOT ALLEY, CLOSED BY CITY OF JACKSONVILLE BEACH ORDINANCE NUMBER 5386 (AS CURRIENTLY MONUMENTED AND POSSESSED) BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF 20TH AVENUE NORTH, A 50 FOOT RIGHT OF WAY AS NOW ESTATISHED, WITH THE WESTERLY RIGHT OF WAY LINE OF 1ST STREET NORTH, A VARIABLE WIDTH RIGHT OF WAY AS NOW ESTATISHED, THEN SOUTHERLY 132'4 1/2" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE OF 1ST STREET NORTH A DISTANCE OF 32.11 FEET TO THE POINT OF BEGINNING; THEN CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE SOUTH 132'4 1/2" EAST A DISTANCE OF 27.60 FEET; THEN SOUTH 88°33'24" WEST, A DISTANCE OF 118.07 FEET TO A POINT SITUATE IN THE CENTERLINE OF AFORESAID CLOSED ALLEY; THENCE NORTH 88°33'24" WEST ALONG SAID CENTERLINE A DISTANCE OF 27.00 FEET; THENCE NORTH 88°33'24" EAST A DISTANCE OF 112.61 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO AN EASEMENT FOR UTILITIES OVER THE WEST 8.00 FEET OF THE ABOVE DESCRIBED PARCEL.

(Formerly Knowns as Dixie Avenue)
20th Avenue North
(Also Known as Seagate Avenue)

NOTE:

1. BEARINGS BASED ON THE CENTER LINE OF THE CLOSED ALLEY AS BEING 5' 0" 0/100" W AND ARE ASSIGNED.
2. THIS PROPERTY LIES IN FLOOD ZONE "X"-SHIELD PER FLOOD INSURANCE RATE MAP ZONE "X", DUVAL COUNTY, COMMUNITY NO. 105078 (CITY OF JACKSONVILLE BEACH, MAP/Parcel No. 12010-01-417-J).
4. ALL LOTS SHOWN HEREIN LIE WITHIN BLOCK 202 EXCEPT AS NOTED.
5. CONCRETE 6" FLOOR EXCEPT AS NOTED.
6. CONCRETE 3" FLOOR EXCEPT AS NOTED.
7. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY WHICH MAY BE FOUND IN THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

NOTE 2012:

ELAINE - HUBBARD 9-14-12

CERTIFIED TO:
RUSSELL JORDAN
ATLANTIC BUILDERS, INC.
THE PALMS OF JACKSONVILLE, INC.
OLD REPUBLIC NATIONAL TITLE
INSURANCE COMPANY
W. BRIDEL & DEPAL, LLC

SURVEYOR'S NOTE:
The Survey herein was made without the benefit of abstract or search of title and therefore the undersigned and herein surveyors and mapping, Inc., make no certifications or representations as to the validity of any easements, rights-of-way, street lines, overlaps, boundary line disputes or other such conditions, the validity of any easements, rights-of-way, street lines, overlaps, boundary line disputes or other such conditions. This survey not valid unless this point is crossed with the seal of the above surveyors.
MAP SHOWING BOUNDARY SURVEY OF:

Part of Lot 1, Block 202, Ocean Villa Replat, as recorded in Plat Book 12, Page 37 of the Current Public Records of Duval County, Florida, together with the east half of a 12 foot alley closed by City of Jacksonville Beach Ordinance Number 5386 (as currently monumented and possessed) being more particularly described as follows: For a point of beginning commence at the intersection of the southerly right of way line of 20th Avenue North, a 50 foot right of way as now established, with the westerly right of way line of 1st Street North, a variable width right of way as now established, thence south 132'41 10" east, along said westerly right of way line of 1st Street North a distance of 32.11 feet; thence south 83'33 24" west a distance of 112.61 feet to an intersection with the centerline of the aforesaid closed alley; thence north 02'00 00" west along said center line a distance of 47.97 feet to a point situat in said southerly right of way line of 20th Avenue North, thence south 02'36 15" east, along said southerly right of way line a distance of 107.70 feet to the point of beginning.

Together with and subject to an easement for utilities over the West 6.00 feet of the above described parcel.

Note: Bearings based on the center line of the closed alley as being 50 feet W and are as shown.

This property lies in flood zone "A-90/100" per flood insurance and map flood deck, Duval County, Community No. 12078 (City of Jacksonville Beach). U.I.P./P.A. No. (3301C-0041).-.

All lots shown herein lie within block 202 except as noted.

—V— Denotes V wire fence except as noted.

—W— Denotes W wire fence except as noted.

There may be additional restrictions that are not shown on this survey. More information can be found in the public records of Duval County, Florida.

I hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Surveying and Mapping, W.R./L.M. No. 19-10003.

Surveyor's Note:

The survey herein was made without the benefit of abstract or search of title and therefore the undersigned and DURDEN Surveying and Mapping, Inc., make no certifications regarding the accuracy or completeness of the survey or the claims of easements, rights-of-way, setback lines, or any other matter which may appear in the abstract or the title of the property described above.

This survey not valid unless this print is embossed with the seal of the above named.

DURDEN SURVEYING AND MAPPING, INC.
1820-B 3RD STREET NORTH
 JACKSONVILLE BEACH, FLORIDA 32250
(904) 853-6822 FAX 853-6825
LICENSED BUSINESS NO. 6596

I hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Surveying and Mapping, Inc., and that the survey is in compliance with Section 472.022 Florida Statutes and Chapter 517 Florida Administrative Code.

SIGNED: FEBRUARY 7, 2019 - REVISED MARCH 1, 2019
WORK ORDER NUMBER: 19007

RECEIVED
MAR 1 4 2019
REvised MARCH 1, 2019
PLANNING & DEVELOPMENT
B-9434
APPLICATION FOR VARIANCE

This form is intended for submission, along with the required documents, for all requests for variances from the requirements of the City of Jacksonville Beach Land Development Code, Article 6, Section 6.6 Variances. The Planning and Development Director will evaluate an application for a variance for sufficiency within five (5) days of receipt. If the application is found to be complete, the Jacksonville Beach Board of Adjustment at their earliest meeting following appropriate public notice of the request will schedule it for review, public hearing and a decision.

REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years. All proposed additions and/or improvements, including actual dimensions, relevant setbacks from property lines, and lot coverage calculations shall be added to the boundary survey, so scale (on 11"x17" paper or smaller)
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of $500.00 (due at the time of application submittal).
5. Completed application.

APPLICANT INFORMATION

Applicant Name: Atkins Builders, Inc.
Mailing Address: PO Box 51262
Jacksonville Beach, FL 32240

Agent Name: John Atkins
Mailing Address: PO Box 51262
Jacksonville Beach, FL 32240

Landowner Name: The Palms of Jacksonville, LLC
Mailing Address: 1238 Windsor Harbor Dr.
Jacksonville Fl. 32240

Telephone: (904) 465-3749
E-Mail: atkinsbuilders@hotmail.com

Telephone: (904) 465-3749
E-Mail: atkinsbuilders@hotmail.com

Telephone: (904) 465-3749
E-Mail: atkinsbuilders@hotmail.com

Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper.

VARIANCE DATA

Street address of property AND Real Estate Number: 2016 & 2034 N. 1st St.

Legal description of property (Attach copy of deed): Lots 1 & 2 Block 202, Together with the West half of closed alley, Plat Book 12

Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary)

Lots are in RM-2 Zoning that provides for 88% lot coverage. Single family attached homes are limited to 35% lot coverage. Most if not all buildings in the immediate area do not comply with all setbacks.

A mistake was made in calculating lot coverage in previous variance request. Applicant is requesting 88.7% lot coverage in lieu of 42.9% granted by previous variance.

AFFIDAVIT

I, John Atkins, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

APPLICANT SIGNATURE

John Atkins

PRINT APPLICANT NAME

DATE

3-20-2019

STATE OF FLORIDA, COUNTY OF DUVAL

Sworn to and signed before me this day of March, 2019 by John Atkins to be personally known to me or has produced

NOTARY PUBLIC SIGNATURE

CATHERINE MARTINICH

PRINT NOTARY NAME

(Affix Notary Seal Above)

CURRENT ZONING CLASSIFICATION: RM-2

FLOOD ZONE:

CODE SECTION(s): Section 31-340(c)(1)(b), for 48.7% lot coverage 3.20 43.9%

Previously approved lot coverage to correct an error in calculation and allow a larger footprint on a new two family dwelling.
**Variance Application Standards and Conditions**

Variances can be requested for the dimensional standards of Article VII, the off-street parking or landscape standards of Article VIII, and the subdivision standards of the LDC, except that a height variance is not permitted in any zoning district.

**Section 34-281. Purpose.** Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

**Section 34-286. Standards applicable to all variances.** In order to authorize any variance from the terms of this code, the Board of Adjustment must find that the following criteria have been met. To assist the Board in making this finding, please complete the blanks on the form below.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Applies?</th>
<th>Circumstances/ Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.</td>
<td>Yes</td>
<td>RECEIVED</td>
</tr>
<tr>
<td>Special circumstances and conditions do not result from the actions of the applicant.</td>
<td>Yes</td>
<td>PLANNING &amp; DEVELOPMENT</td>
</tr>
<tr>
<td>Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.</td>
<td>Yes</td>
<td>Many, if not all properties in the area do not comply with setbacks or lot coverage.</td>
</tr>
<tr>
<td>Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.</td>
<td>Yes</td>
<td>Variances have been granted to several of the other parcels in the same zoning district.</td>
</tr>
<tr>
<td>Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.</td>
<td>Yes</td>
<td>Applicant has reduced the number of permitted units on this parcel from a possible of 11 to 4.</td>
</tr>
<tr>
<td>Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.</td>
<td>Yes</td>
<td>Granting of the variance will actually enhance the surrounding properties and be an asset to the community.</td>
</tr>
</tbody>
</table>
November 15, 2017

Dear City of Jacksonville Beach,

Please allow this letter to serve as our authorization for John Atkins and Atkins Builders, Inc. to submit a development plan approval application on our property located at 2016 N. 1st Street in Jacksonville Beach, FL.

Respectfully,

Athena Grainger
Partner
June 7, 2018

The Palms of Jacksonville, Inc.
PO Box 51262
Jacksonville Beach, FL 32240

RE: BOA# 18-100129
2016 North 1st Street
(Lots 1, 2, Block 202, together with the west half of a closed alley, Ordinance No. 5386 (as currently monumented & possessed) Ocean Villa Replat)

Dear The Palms of Jacksonville, Inc.,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, August 7, 2018, to consider your application for a variance from the requirements of the Land Development Code.

As indicated in the application, the request was for the following:

- Section 34-340(e)(1)c.2, for a 5 foot southerly side yard setback for the north units and a 2 foot northerly side yard setbacks for the south units, in lieu of 10 feet required;
- Section 34-340(e)(1)f., for 42.9% lot coverage, for the south units, and 41.5% lot coverage for the north units, in lieu of 35% maximum;
- Section 34-340(e)(1)h., for an accessory structure setback of 1 foot, in lieu of 5 feet required; for patios and walkways;
- Section 34-373, for a parking area setback of 4 feet, in lieu of 5 feet required;

The Board approved the request as discussed.

To allow construction of two new two-family dwellings.

Please remove the public hearing notice posted on your property. Information about building permits, applications and checklists is available in our office or online at http://www.jacksonvillebeach.org/business/building-permit-applications-and-checklists.

Please submit a copy of this approval letter when submitting any future development or building permit applications. If you have any questions regarding any information contained in this letter, please feel free to call me at (904) 247-6235.

Sincerely,

George Knight
Building Official
Maureen and William Modrack  
1809 1st St. N.  
Jacksonville Beach, Fl. 32250

To The Board of Adjustments,

We are against any more variances for the properties located at 20th N. and 1st St. Jacksonville Beach. We ask for an investigation to be held as to how often and how many variances Mr. Atkins has received from the city and how many of those times he built the property and broken city codes and has had to come back to the city for more variances. Mr Atkins built eight homes between 17th N and 20th N and 1st St. All homes received generous variances prior to construction, even though the people in this area did not want the variances to be given. Mr. Atkins after construction came back to the city to ask for more variances because he had broken our codes, he is now doing this once again on four more finished properties. Please do not give any more variances to this builder.

Thank you,  
Maureen and William Modrack

[Signature]

RECEIVED

MAY - 6 2019

PLANNING & DEVELOPMENT
MAP SHOWING BOUNDARY SURVEY OF:

PART OF LOT 2, BLOCK 202, OCEAN VILLA REPLAY, AS RECORDED IN Plat Book 12, Page 27 of the Current Public Records of Duval County, Florida, Together with the East Half of a 12 Foot Alley Closed by City of Jacksonville Beach Ordinance Number 5356 (as Currently Monumented and Possessed) Being More Particularly Described as Follows: For a Point of Reference, Commence at the Intersection of the Southernly Right of Way Line of 20th Avenue North, a 50 Foot Right of Way as Now Established, With the Westernly Right of Way Line of 1st Street North, a Variable Width Right of Way as Now Established, Thence South 132°4'19" East, Along Said Westernly Right of Way Line of 1st Street North a Distance of 68.90 Feet to an Angle Point in Said Westernly Right of Way Line, Said Point Also Being the Southeast Corner of Lot 1 and The Northeast Corner of Said Lot 2; Thence South 11°40'16" East Along Said Westernly Right of Way Line a Distance of 18.30 Feet to the Point of Beginning; Thence Continuing South 114°0'16" East Along Said Westernly Right of Way Line a Distance of 32.52 Feet, To the Southeast Corner of Said Lot 2; Thence South 88°33'24" West Along the South Lot Line of Said Lot 2, A Distance of 128.43 Feet to the Centerline of Aforesaid Closed Alley; Thence North 02°00'00" West Along Said Centerline, A Distance of 32.00 Feet; Thence North 88°33'24" East a Distance of 122.96 Feet to the Point of Beginning.

TOGETHER WITH AND SUBJECT TO AN EASEMENT FOR UTILITIES OVER THE WEST 6.00 FEET OF THE ABOVE DESCRIBED PARCEL.

FORMERLY KNOWN AS DIXIE AVENUE
20TH AVENUE NORTH
(Also Known as Seagate Avenue)

LANDINGS & DEVELOPMENT

1ST STREET NORTH

VARIABLE WIDTH RIGHT-OF-WAY

PARCEL 1

FOUND 1/2" IRON PIPE
L.B. 32857
Found 1" Iron Pipe No Identification

PARCEL 2

PARCEL 3

SET 1/2" IRON PIPE
L.B. 6696

SET 1/2" IRON PIPE
L.B. 6696

LOT 1

LOT 2

LOT 3

POINT OF BEGINNING

SET 1/2" IRON PIPE
L.B. 6696

SET 1/2" IRON PIPE
L.B. 6696

SET 1/2" IRON PIPE
L.B. 6696

S88°33'24"E 122.96'

(2016 POSTED)

N88°33'24"W 128.43'

3 STORY WOOD FRAME RESIDENCE

S88°33'24"W 128.43'

IMPERVIOUS CALCULATIONS

LOT AREA = 4,022 SQUARE FEET
BUILDING AREA = 1,762
CONCRETE = 585
A/C PAD(S) = 182
TOTAL IMPERVIOUS AREA = 1,772

DURDEN SURVEYING AND MAPPING, INC.
1825-8 3RD STREET NORTH
JACKSONVILLE BEACH, FLORIDA 32250
(904) 853-6822 FAX 853-6825
LICENSED BUSINESS NO. 6696

SURVEYOR'S NOTE:
The survey herein was made without the benefit of access, or search of title, and therefore the undersigned and/or MAPPING, INC. MAKES NO CERTIFICATIONS OF ACCURACY, OR ANY KIND WHATSOEVER REGARDING THE CONTENTS OR ACCURACY OF THE MAPPING, INC. REPOしたり ALLEGATIONS OF RIGHTS OF OWNER OR ANY OTHER PARTIES. THE UNDERSIGNED AND/MAPPING, INC. REPOしたり OTHER DUTIES, RIGHTS OF WAY, SETBACK LIMITS, OVERLAPS, SQUAREY, OR DISPUTES, AGREEMENTS, RESERVATIONS OR OTHER SIMILAR MATTERS CONCERNING THE TITLE. THIS SURVEY NOT VALID UNLESS THIS PRINT IS embarrass with the Seal of the Above Owner.

CERTIFIED TO:

RECEIVED MAR 4 2019
19-100038
LANNING & DEVELOPMENT

I hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Land Surveying and Mapping to Section 472.027 Florida Statutes and Florida Administrative Code 61G17. Florida Administrative Code.

SIGNED: FEBRUARY 12, 2019
MARCH 1, 2019

FLORIDA REGISTERED SURVEYOR MAPPING, INC.

H. BRUCE LERNER

B-9437
MAP SHOWING BOUNDARY SURVEY OF:

PART OF LOTS 1 AND 2, BLOCK 202, OCEAN VILLA REALTY, AS RECORDED IN Plat Book 112, Page 37 of the CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, TOGETHER WITH THE EAST HALF OF A 12 FOOT ALLEY CLOSED BY CITY OF JACKSONVILLE BEACH ORDINANCE NUMBER 5356 (AS CURRENTLY MONUMENTED AND POSSESS) BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMES THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF 20TH AVENUE NORTH, A 50 FOOT RIGHT OF WAY AS NOW ESTABLISHED, WITH THE WESTERLY RIGHT OF WAY LINE OF 1ST STREET NORTH, A VARIABLE WIDTH RIGHT OF WAY AS NOW ESTABLISHED, THEN E TO THE POINT OF BEGINNING. SETTING CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE SOUTH 13'24'19" EAST A DISTANCE OF 9.19 FEET TO AN ANGLE POINT IN SAID WESTERLY RIGHT OF WAY LINE, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID LOT 1 AND THE NORTHWEST CORNER OF SAID LOT 2; THEN SOUTH 11'40'16" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 18.30 FEET; THEN SOUTH 88°33'24" WEST A DISTANCE OF 122.96 FEET TO AN INTERSECTION WITH THE CENTERLINE OF THE AFORESAID CLOSED ALLEY; THEN E TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO AN EASEMENT FOR UTILITIES OVER THE WEST 6.00 FEET OF THE ABOVE DESCRIBED PARCEL.

(FOREMOM KNOWN AS DIXIE AVENUE)
20TH AVENUE NORTH
(ALSO KNOWN AS SEAGATE AVENUE)

PARCEL 1

112.61'

PARCEL 2

POINT OF BEGINNING

SET 1/2" IRON PIPE DURDEN L.B. #6696

PARCEL 3

SET 1/2" IRON PIPE OR COR. L.B. #6696

PARCEL 4

128.43'

LOT 3

IMPERVIOUS CALCULATIONS
LOT AREA = 3,2534 SQUARE FEET

DESCRIPTION | SQUARE FEET
BUILDING AREA | 1,122.3
CONCRETE | 559.3
A/C PADD (S) | 21.1
TOTAL IMPERVIOUS AREA = 1,717.11
TOTAL DENSITY = 24.4%
APPLICATION FOR VARIANCE
BOA No. 19-10004
HEARING DATE: 5-21-2019

This form is intended for submittal, along with the required documents, for all requests for variances from the requirements of the City of Jacksonville Beach Land Development Code, Article 6, Section 6.6 Variances. The Planning and Development Director will evaluate an application for a variance for sufficiency within five (5) days of receipt. If the application is found to be complete, the Jacksonville Beach Board of Adjustment at their earliest meeting following appropriate public notice of the request will schedule it for review, public hearing and a decision.

REQUIRED DOCUMENTATION
1. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years. All proposed additions and/or improvements, including actual dimensions, relevante rights-of-way property lines, and lot coverage calculations shall be added to the boundary survey, to scale (on 11”x17” paper or smaller).
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of $500.00 (due at the time of application submittal).
5. Completed application.

APPLICANT INFORMATION
Applicant Name: Gene Pruitt
Mailing Address: 1837 Hedley Terrace
Jacksonville, FL 32205
Agent Name: Telephone: Telephone:
Mailing Address: E-Mail:
Landowner Name: RST Property Solutions LLC
Mailing Address: 4837 Hedley Ter
Jacksonville, FL 32205
E-Mail: suzannem.pruett@gmail.com

Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper.

VARIANCE DATA
Street address of property AND Real Estate Number: 1012 S 1st Ave Jacksonville Beach, FL 32250
Legal description of property (Attach copy of deed): 33-26-29E 138.96OUT 105.6 RECT or 1B467
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduced required off-street parking spaces, etc.) (Attach a separate sheet if necessary).

AFFIDAVIT
1. Gene Pruitt, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

STATE OF FLORIDA, COUNTY OF DUVAL:
Sworn to and signed before me this 5th day of April 2019 by Gene Pruitt, who
is personally known to me or has produced identification.

APPLICANT NAME
DATE

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME

PLANNING AND DEVELOPMENT DEPARTMENT
11 NORTH 3rd STREET
PHONE (904) 247-6231
FAX (904) 247-6107
**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

Variances can be requested for the dimensional standards of Article VII, the off-street parking or landscape standards of Article VIII, and the subdivision standards of the LDC, except that a height variance is not permitted in any zoning district.

**Section 34-281. Purpose.** Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

**Section 34-286. Standards applicable to all variances.** In order to authorize any variance from the terms of this code, the Board of Adjustment must find that the following criteria have been met. To assist the Board in making this finding, please complete the blanks on the form below.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Applies? Yes/No</th>
<th>Circumstances/ Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.</td>
<td>Yes</td>
<td>lot sizes in the area of varying dimensions, this is one of the smaller lots</td>
</tr>
<tr>
<td>Special circumstances and conditions do not result from the actions of the applicant.</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.</td>
<td>Yes; it will not</td>
<td>many neighboring houses, duplexes, etc. have received variances</td>
</tr>
<tr>
<td>Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.</td>
<td>Yes</td>
<td>many of the surrounding parcels appear to have variances in their lot lines</td>
</tr>
<tr>
<td>Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.</td>
<td>Yes</td>
<td>reducing rear yard will allow for necessary off street parking</td>
</tr>
<tr>
<td>Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.</td>
<td>Yes</td>
<td>reduction of rear yard will allow for parking for 2 cars at each unit</td>
</tr>
</tbody>
</table>
MAP OF BOUNDARY SURVEY

DESCRIPTION:
PART OF LOT 1 BLOCK 6 OF WEST PABLO, ACCORDING TO AN UNRECORDED PLAT IN SECTION 33, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SHOOLKEY AVENUE (NOW KNOWN AS FIRST AVENUE) AND 10TH STREET; THENCE RUN WEST 75 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 80 FEET; THENCE WEST 75 FEET; THENCE NORTH 80 FEET; THENCE EAST 75 FEET TO THE POINT OF BEGINNING.

RECEIVED

APR 4 2019
19-1000
PLANNING & DEVELOPMENT

SURVEY NOTES:
#1 PLAT PROVIDES NO MEASUREMENTS, THEREFORE THE BEARING OF THE EAST LINE OF LOT 2, BLOCK 6, WAS SCALPED FROM RECORD MAP AS BEING 56 DEGREES 40 MINUTES 30 SECONDS EAST.
#2 UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED BY THIS SURVEY.
#3 ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY 1997 MAP, NO. 105D11C417 M, EFFECTIVE 02/03/1992, THE PROPERTY DESCRIBED HEREIN APPEARS TO LIE IN ZONE "A".
#4 THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF AN ABSTRACT, TITLE SEARCH, TITLE OPINION OR TITLE INSURANCE.
#5 DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF AND ARE PLAT MEASURED UNLESS SHOWN OTHERWISE.
#6 ALL EASEMENTS ARE FOR PLAT UNLESS SHOWN OTHERWISE.
#7 THERE MAY BE ADDITIONAL RESTRICTIONS THAT APPLY WHICH ARE NOT SHOWN ON THIS SURVEY WHICH MAY BE FOUND IN PUBLIC RECORDS OF SAID COUNTY.
#8 THIS SURVEY DOES NOT GUARANTEE OWNERSHIP.
#9 TEMPORARY, NON-PERMANENT IMPROVEMENTS AND OR MAN-MADE ITEMS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING: BUILDING MATERIAL, STORAGE POOL, PAPER BLOCK, RUBBERIZED OR PLASTIC UTILITY BUILDINGS NOT ON FOUNDATION; VEHICLES ON BLOCKS MAY BE ON THIS PROPERTY BUT NOT LOCATED OR SHOWN.
#10 LEGAL DESCRIPTION PROVIDED BY CLIENT.

NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN ON THE FACE THEREOF. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THE CERTIFIED AND REVEALS NO OTHER LIABILITY AND HEREBY DISCLAIMS ANY LIABILITY AND HEREBY DISCLAIMS THE RIGHTS OF ANY OTHER INDIVIDUAL, OR PARTY TO USE THIS SURVEY, WITHOUT EXPRESS WRITTEN CONSENT OF THE SURVEYOR.

FLORIDA REGISTERED SURVEYOR AND MAPPER # 2546
NOT VALID WITHOUT THE SIGNATURE & THE ORIGINAL RATED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

FIELD SURVEY DATE
PLOT PLAN
BOUNDARY 06/25/2019
FORMURAL
FOUNDATION
FINAL

FIRST COAST LAND SURVEYORS, INC.
3161-4 ST JOHN'S BLUFF ROAD S, JACKSONVILLE, FL 32246
PHONE (904) 779-2062 FAX (904) 779-7704
CERTIFICATE NO. 15 10255
WWW.FIRSTCOASTLANDSURVEYING.COM

PROJECT INFORMATION
ORDER NO: 20653
DRAWN BY: KMP
REVISED BY: HF
CHECKED BY: VAN
PROPOSED SITE PLAN FOR

R & S PROPERTY SOLUTIONS, LLC
1012 SOUTH 1ST AVENUE,
JACKSONVILLE BEACH, FLORIDA
32250

BOA# 19-100046

LOT COVERAGE

PORCHES  58 S.F.
PATIOS   50 S.F.
DRIVEWAY  546 S.F.
A/C PADS  18 S.F.
BUILDING 1578 S.F.
TOTAL    2250 S.F.
LOT AREA  5979 S.F.
COVERAGE 37.8%

DESCRIPTION

PART OF LOT 1, BLOCK 6 OF WEST PABLO, ACCORDING TO AN UNRECORDED PLAT IN SECTION 33,
TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SHOCKLEY AVENUE (NOW KNOWN AS
FIRST AVENUE) AND 10TH STREET; THENCE RUN WEST 75 FEET FOR A POINT OF BEGINNING; THENCE
SOUTH 80 FEET; THENCE WEST 75 FEET; THENCE NORTH 80 FEET; THENCE EAST 75 FEET TO THE POINT
OF BEGINNING.
APPLICATION FOR VARIANCE

This form is intended for submittal, along with the required documents, for all requests for variances from the requirements of the City of Jacksonville Beach Land Development Code, Article 6, Section 6.6 Variances. The Planning and Development Director will evaluate an application for a variance for sufficiency within five (5) days of receipt. If the application is found to be complete, the Jacksonville Beach Board of Adjustment at their earliest meeting following appropriate public notice of the request will schedule it for review, public hearing and a decision.

REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years. All proposed additions and/or improvements, including actual dimensions, relevant setback and property lines, and lot coverage calculations shall be added to the boundary survey, to scale (on 11"x17" paper or smaller).
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of $500.00 (due at the time of application submittal).
5. Completed application.

APPLICANT INFORMATION

Applicant Name: Bottom Line Ventures, Inc. Telephone: 904-883-5720
Mailing Address: P.O. Box 51126
Jacksonville, Florida 32240
E-Mail:

Agent Name: Telephone:
Mailing Address: E-Mail:

Landowner Name: Telephone: 904-237-3885
Mailing Address: 607 3rd Ave. N.
Jacksonville, Florida 32204
E-Mail:

Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper

VARIANCE DATA

Street address of property AND Real Estate Number: 1132 5th Ave., N., RE# 1711779-0000
Lot 245 Block 6 Vol. Grove Unit 2

Legal description of property (Attach copy of deed):

Description of requested variance (example: front yard setback of 1/16" in lieu of 20", lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).

APPROVED 4/9/19

I, ____________________________, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

TIMOTHY S. MILLARD
PRINT APPLICANT NAME

APPLICANT SIGNATURE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 20th day of April, 2019 by ____________________________ as identification.

CATHERINE MARTINICH
NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME

(Affix Notary Seal Above)

CURRENT ZONING CLASSIFICATION: BS-1

FLOOR ZONE: X (2015)

CODE SECTION (S): Section 34-326 (E)(1). C:2 for an easternly side yard setback of 6.925

10' required and 34:326 (E)(1).a. for 47.8% lot coverage 20' x 20' 35% maximum to retain exisiting non-conforming on an existing single family dwelling.
April 8, 2019

To Whom It May Concern,

Re #: 1777490000

I, Thomas Braddock, owner of 1132 5th Ave North Jacksonville Beach, FL 32250 authorize Timothy Millard, President of Bottom Line Ventures Inc, to apply for any variances needed on lots 3, 4 & 5 at the above referenced property.

Thomas Braddock

Janet C. Shields
Witness

Hanan Shahin, Notary
Duval County, Florida
FIELD WORK DATE: 4/8/2010
REVISION DATES: (REV) 4/11/2010

1123 5TH AVENUE N., JACKSONVILLE BEACH, FLORIDA 32250

PROPERTY ADDRESS: SURVEY NUMBER: 1903.3341-01

DUAL COUNTY

LOT 4 AND 5, BLOCK 3, PINE GROVE UNIT 2, AS RECORDED IN PLAT BOOK 17, PAGE 18, OF THE PUBLIC RECORDS OF DUAL COUNTY, FLORIDA.

NONE HELPLESS

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.ESWFL.COM, THE PROPERTY APPEARS TO
BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN THE
CITY OF JACKSONVILLE BEACH, COMMUNITY NUMBER 100618,
DATED 11/02/2018.

THE BEARING REFERENCE OF N80°56'40"W IS BASED ON THE
WESTERLY PROPERTY LINE OF LOT 3, BLOCK 3, PINE GROVE
UNIT 2, AS RECORDED IN PLAT BOOK 17, PAGE 18, OF THE
PUBLIC RECORDS OF DUAL COUNTY, FLORIDA.

SURVEYORS NOTES
NOTE: FENCES NOT VISIBLE, OWNERSHIP NOT DETERMINED.
PLEASE REVIEW LOCATION ON DRAWING.
LOT APPEARS TO BE SERVICED BY PUBLIC WATER AND SEWER.
SETBACK INFORMATION SHOWN ON PLAT, NOT VISITED.

RECEIVED
APR 23 2019

PLANNING & DEVELOPMENT

Use of this survey other than intended, without written notification, will be at the users' sole risk and without liability to the surveyor.

EXACTA
LAND SURVEYORS, LLC
LBP 8293 | 11940 Swanson Lakes Drive | Suite 1 | Fort Myers, FL 33913
P: 866.730.2365 | F: 866.744.2803
APPLICATION FOR VARIANCE

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2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of $500.00 (due at the time of application submittal).
5. Completed application.

APPLICANT INFORMATION

Applicant Name: **Bottom Line Ventures Inc**
Mailing Address: **P.O. Box 51136**
Telephone: **904-813-5720**
E-Mail: **milla@bottomlineventures.com**
Agent Name: **Tom**
Mailing Address: **JAX Beach Fl 32240**
Telephone: 
E-Mail: 
Landowner Name: **John Bradock**
Mailing Address: **607 31st Ave**
Telephone: **904-227-3315**
E-Mail: 

Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper.

VARIANCE DATA

Street address of property AND Real Estate Number: **1130 North 5th Avenue, Lot 3 (Vacant)**

Legal description of property (Attach copy of deed):
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary). Lot coverage 45.1%, in lieu of 35%, to allow for construction of a two story, 560 square ft, with 375 square feet of deck.

AFFIDAVIT

I, **Timothy S. Miller**, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

[Signature]

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 4th day of April, 2019 by Timothy S. Miller who is personally known to me or has produced as identification.

[Signature]

NOTARY PUBLIC SIGNATURE

CATHERINE MARTINICH
Notary Public – State of Florida
Commission #02-16598
My Comm. Expires Mar 24, 2022

PRINT APPLICANT NAME

PRINT NOTARY NAME

This box for office use only, go to next page

CURRENT ZONING CLASSIFICATION: **RS-1**
FLOOD ZONE: **X (200)**

Code Section (s): **Section 39-3119(6)(A)(e) for 45.1% lot coverage, 35% maximum to allow construction of a new single family dwelling on lot 3**

(Vacant lot)

PLANNING AND DEVELOPMENT DEPARTMENT 11 NORTH 3RD STREET PHONE (904) 247-6231 FAX (904) 247-6107
April 8, 2019

To Whom It May Concern,

Re #: 1777490000

I, Thomas Braddock, owner of 1132 5th Ave North Jacksonville Beach, FL 32250 authorize Timothy Millard, President of Bottom Line Ventures Inc, to apply for any variances needed on lots 3, 4 & 5 at the above referenced property.

[Signature]
Thomas Braddock

[Signature]
Janet C. Shields
Witness

[Signature]
Hanan Shahin, Notary
Duval County, Florida

HANAN SHAHIN
Commission # GG 124999
Expires November 14, 2021
Licensed, Bonded, Insured, Notary Services

RECEIVED

APR - 9 2019
19-100051
PLANNING & DEVELOPMENT